

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

YAMIL ALEXSANDER HARE, et al.,)

Plaintiffs,)

v.)

CIV. ACT. NO. 1:22-cv-438-TFM-N

OFFICER STACY MCELROY,)

individually and in his Official Capacity,)

Defendant.)

JUDGMENT

In accordance with the Memorandum Opinion and Order entered on September 22, 2023 (Doc. 20) and the Memorandum Opinion and Order entered on today's date, it is **ORDERED, ADJUDGED, and DECREED** as follows:

Plaintiffs' claims are hereby **DISMISSED with prejudice**¹ as to Defendants Drug Enforcement Agency ("DEA") based upon lack of jurisdiction.

Plaintiffs' claims are hereby **DISMISSED with prejudice** as to Defendant Sheriff Huey "Hoss" Mack for failure to state a claim upon which relief could be granted.

Plaintiffs' claims are hereby **DISMISSED without prejudice** as to Defendant Stacy McElroy for failure to serve and failure to prosecute.

The Clerk of Court is **DIRECTED** to enter this document on the civil docket as a Final Judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

¹ While normally a dismissal under Fed. R. Civ. P. 12(b)(1) for lack of jurisdiction would be without prejudice, in this case, as the administrative forfeiture process time frame has passed, there is no further ability to bring the claim.

DONE and **ORDERED** this 25th day of January, 2024.

/s/ Terry F. Moorer
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE